

1

2

3

4

5

6

7

8

9

10

11

12

13

14

FILED
LODGED
ENTERED
RECEIVED
FEB 22 2010
AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY



08-CV-01462-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMES H. BEAUCHMAN,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Case No. C08-1462-JLR

ORDER DENYING § 2255 MOTION

The Court, having reviewed petitioner's motion under § 2255, the Report and Recommendation of Brian A. Tsuchida, United States Magistrate Judge, and the remaining record, does hereby find and Order:

(1) The Court adopts the Report and Recommendation.

(2) The Court makes the following findings with respect to petitioner's claim that he was denied the effective assistance of counsel:

(a) Petitioner's trial counsel adequately explained to petitioner the sentencing consequences of being convicted at trial.

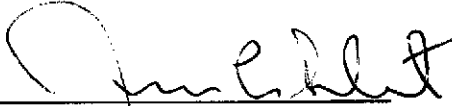
(b) At no point did petitioner's trial counsel advise petitioner he would receive the same 15 year sentence offered by the government during plea negotiations if he was convicted at trial.

ORDER DISMISSING PETITION

1 (3) Based upon the above findings, this Court concludes that petitioner was not
2 denied his right to effective assistance of counsel during plea negotiations.

3 (4) The Clerk is directed to send copies of this Order to all counsel of record and to
4 Judge Tsuchida.

5 DATED this 22ND day of February, 2010.

6
7 
8 JAMES L. ROBART
9 United States District Judge
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

ORDER DISMISSING PETITION